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10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE EASTERN DISTRICT OF CALIFORNIA
12 SACRAMENTO DIVISION
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14 **TIMOTHY JACKSON SEELEY,**

15 Plaintiff,

16 v.

17 **TERESA A. SCHWARTZ, et al. ,**

18 Defendants.
19

Case No. 2:04-cv-1800-DFL-CMK (PC)

**ORDER OF DISMISSAL WITHOUT
PREJUDICE**

Fed. R. Civ. Proc. 41(b)

20 On April 21, 2006, Plaintiff in Pro Per Timothy Seeley filed a motion for an order
21 from the Court permitting him to voluntarily dismiss this action without prejudice. On April 24,
22 2006, Defendants filed a Statement of Non-Opposition to Plaintiff's motion.

23 Accordingly, the Court hereby **GRANTS** Plaintiff's motion pursuant to Federal Rules
24 of Civil Procedure 41(b).

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IT IS ORDERED that Plaintiff's complaint is dismissed without prejudice.

April 25, 2006

/s/ CRAIG M. KELLISON
Craig M. Kellison
UNITED STATES MAGISTRATE JUDGE